

1. In the Court's Minute Entry dated May 11, 2010, the Court granted in part Plaintiff's Motion to Amend the Discovery Schedule/Order, extending the discovery schedule by 60 days and ordering the parties to submit a revised discovery schedule accordingly.

2. The parties have discussed the time necessary to complete the remaining expert discovery, and an extension of more than 60 days is needed, particularly in light of the number of parties involved, the locations of the various experts who need to be deposed and the likely difficulties in scheduling depositions necessary throughout the summer.

3. Accordingly, the parties respectfully request an extension of more than 60 days in the discovery schedule.

4. The parties do not seek these extensions for purposes of delay or for any other improper purpose.

5. Pursuant to Local Rule 7.1(b), the parties have conferred and have come to agreement on the requested extensions.

WHEREFORE, the parties respectfully request that the Court grant this Motion and amend the Discovery Schedule/Order deadlines as follows:

1. Depositions of Plaintiff's expert witnesses shall be completed by ~~April 30, 2010~~ August 13, 2010.

2. Defendants shall submit expert reports by ~~May 14, 2010~~ August 30, 2010. Depositions of Defendants' expert witnesses shall be completed by ~~June 29, 2010~~ October 11, 2010.

3. Motions, including summary judgment motions but excluding motions relating to the conduct of the trial, shall be filed on or before ~~June 29, 2010~~ October 11, 2010.

4. Trial ready date ~~August 2, 2010~~ December 15, 2010.

[SIGNATURES ON FOLLOWING PAGE.]

Dated: Burlington, Vermont  
May 28, 2010

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Dated: Burlington, Vermont  
May 28, 2010

Dated: Cincinnati, Ohio  
May 28, 2010

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UNITED STATES DISTRICT COURT

FOR THE

DISTRICT OF VERMONT

ETHEL KELLOGG,	)	
	)	
Plaintiff	)	Honorable William K. Sessions, III
	)	
v.	)	Docket No. 2:07-cv-00082
	)	
WYETH, Individually and as	)	
Successor-In-Interest to A.H. ROBINS	)	
COMPANY, INC. and AMERICAN HOME	)	
PRODUCTS CORPORATION; SCHWARZ	)	
PHARMA, INC.; ACTAVIS, INC.;	)	
ACTAVIS-ELIZABETH, L.L.C.;	)	
ALPHARMA, INC.; PUREPAC	)	
PHARMACEUTICAL COMPANY, INC.;	)	
TEVA PHARMACEUTICALS, USA, INC.;	)	
BARR PHARMACEUTICALS, INC.;	)	
PLIVA, INC.; and DRUG COMPANY	)	
DOES 1 THROUGH 10, inclusive,	)	
	)	
Defendants	)	

CERTIFICATE OF SERVICE

I, Ross A. Feldmann, Esq., hereby certify that a true and correct copy of the parties' Joint Motion to Amend the Discovery Schedule/Order was served on the following individuals through the CM/ECF system on May 28, 2010:

*For Plaintiff Ethel Kellogg*  
Ralph Pittle, Jerome F. O'Neill, and Louis Bograd

*For Defendant Wyeth*  
Jeffrey R. Pilkington

*For Defendant Schwarz Pharma, Inc.*  
Henninger S. Bullock and Andrew J. Calica

*For Defendants Actavis, Inc.; Actavis-Elizabeth, LLC; Alpharma, Inc.; and Purpac Pharmaceutical Company, Inc.*

Stephen J. Soule

*For Defendant Teva Pharmaceuticals, USA, Inc.*

Matthew S. Borick, Richard A. Oetheimer and U. Gwyn Williams

*For Defendants Barr Pharmaceuticals, Inc. and Pliva, Inc.*

John D. Monahan, Matthew V. Brammer and Thomas G. McIntosh

Additionally, this Motion has been served on May 28, 2010, by first-class mail, postage prepaid, on the following individuals:

Leslie A. Brueckner  
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Dated: Burlington, Vermont  
May 28, 2010

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